

JP:KKO

**NO9-0093**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 18 U.S.C. §  
1029(a)(3))

NANCY DE LA ROSA,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DOUGLAS HUTCHINSON, being duly sworn, deposes and states that he is a Senior Special Agent with the United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about February 2, 2009, within the Eastern District of New York and elsewhere, the defendant NANCY DE LA ROSA did knowingly and with intent to defraud possess fifteen or more counterfeit and unauthorized access devices, to wit: 28 counterfeit credit cards, in a manner affecting interstate and foreign commerce.

(Title 18, United States Code, Section 1029(a)(3).)

The source of your deponent's information and the grounds for this belief are as follows:<sup>1</sup>

1. On February 2, 2009, the defendant NANCY DE LA ROSA arrived at JFK International Airport on Jet Blue flight number 742 from Santiago, the Dominican Republic ("DR"), traveling on a United States passport.

2. At approximately 2:10 a.m., the defendant was referred for a secondary inspection by United States Customs and Border Protection ("CBP"). During the secondary inspection, the defendant stated that she traveled to the DR for her grandfather's funeral. When a CBP officer requested the telephone number of a family member who could confirm this information, the defendant changed her story and stated that she traveled to the DR to see her boyfriend.

3. At approximately 2:20 am, CBP officers conducted a personal search of the defendant. During the search, officers found 28 credit cards concealed under the defendant's clothing in the area of her waist. Many of the credit cards appeared to be counterfeit as they bore improper holograms and/or did not have microprinting.


4. At approximately 5:30 a.m., an ICE agent advised the defendant of her Miranda rights and the defendant verbally

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<sup>1</sup> Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause, we have not set forth all the facts and circumstances of which we am aware.

waived her rights. She then stated that the credit cards were counterfeit. She further stated that she intended to use the credit cards to buy 20 cell phones for the person who provided the cards to her as well as additional merchandise which she intended to sell in the DR.

WHEREFORE, your deponent respectfully requests that the defendant NANCY DE LA ROSA be dealt with according to law.



DOUGLAS HUTCHINSON  
Senior Special Agent  
United States Immigration and  
Customs Enforcement

Sworn to before me this  
2nd day of February, 2009  
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